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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
JARRETT, SCOTT L	
ART UNIT	**PAPER NUMBER**
3623	

DATE MAILED: 08/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/817,256	NIHIRA, KOICHI	
	Examiner	Art Unit	
	Scott L. Jarrett	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 June 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 3-12* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 3-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This **Final** Office Action is in response to Applicant's amendment filed June 21, 2006. Applicant's amendment amended Claims 1 and 3-12. Current Claims 1 and 3-12 are pending, claim 2 being previously canceled.

Response to Amendment

2. The 35 U.S.C. 112(2) rejection of Claim 11 is withdrawn.

Response to Arguments

3. Applicant's arguments filed June 21, 2006 have been fully considered but they are not persuasive.

Specifically Applicant's argue that the prior art of record does not teach or suggest either singly or in combination "adding an altering instruction to action that should be performed when inconsistency is detected" as newly amended (Remarks: Last Two Paragraphs, Page 7).

The examiner respectfully disagrees wherein the instant application describes the newly claimed limitation "adding an altering instruction to action that should be performed when inconsistency is detected" in the following manner (Specification - Page 23, Lines 12-26, emphasis added):

> "If the event, the device number and the management pattern match the event management, the gateway apparatus 12 determines to take the action decided at the step S21. On the other hand, if the event, the device number *or* the management pattern does not match the event management, *or*, if there is no

> coordination between them, the gateway apparatus 12 checks whether there is inconsistency in an event order. Subsequently, if the inconsistency has been detected in the *event order*, the gateway apparatus 12 adds an alerting instruction to the action that should be performed. If no inconsistency has been detected in the event order, the gateway apparatus 12 assumes that there is the coordination, and determines to take the action decided at the step S21."

Gill et al. teach an expert system and method for collectively managing management information about a plurality of consumer devices and managing the operations of a plurality of devices (Abstract; Column 3, Lines 48-68; Column 4, Lines 1-55; Column 5, Lines 1-54; Column 8, Lines 33-42; Column 25, Lines 5-68; Figures 14, 19, 31, 32 and 56 and as shown below in Figures 1, 4, 7, 8 and 29).

Vijayan teaches a system and method for collectively information about a plurality of devices and managing the operations of a plurality of devices further comprising checking and detecting inconsistency if an event corresponding to the condition of each device does not match registered event management information checking/determining the validity of the event, host and fault monitoring point; Column 1, Lines 47-63; Column 6, Lines, 63-68; Column 7, Lines 1-25; Figure 5, Element 504) *and* adding an alerting instruction to action that should be performed when inconsistency is detected (Column 5, Lines 1-40; Column 6, Lines 47-67; Column 7, Lines 1-20; Column 9, Lines 29-59; Figure 4, Element 430).

More specifically Vijayan teaches (emphasis added)

> "Once an event is declared as not a duplicate, the database is consulted to check if the event and host is defined in the database (step 422). If the event and host are found, but the FMP is not found, the **event is still not dropped**. **Every event host definition has a default FMP associated with it.** The cool off timeout, escalation levels, target pager group information, etc. is always *available* for an (event, host, default FMP) triple. The cool off timeout is the first

timeout defined for any (event, host, FMP) triplet and the default time that is allowed for a good event to close the problem event. If the (event, host, FMP) triplet is found in the database, then the database information pertaining to the requested triplet is used. This method of implementation allows fault management of new devices added to the network *even if the administrator has not yet configured the alert* in the database.

If the (event, host, fmp) triplet is not dropped, and the cooloff timeout is expired and the status of the event is still open, then a trouble ticket is created (step 424) containing the information regarding the problem encountered by the device, which device the problem occurred on, and the physical location of the device. Next an *alert is sent* (step 426) to the appropriate group, organization, or individual 418 assigned to deal with this particular problem." (Column 5, Lines 14-37); and

"Previously, either a separate event had to be programmed into the fault management system for each network device (resulting in an enormous number of events) or, if separate events were not programmed, it was possible for an event from one device on a host could cancel an event from a different device on the same host. Both of these scenarios were undesirable, but are eliminated or greatly reduced with the present invention.

It should be noted that although the present invention has been described primarily with reference to allowing a **default FMP value** *to be used for the escalation policy for cases in which the received FMP* **is not previously defined** in the FDAT database, in other embodiments, for stricter control of the fault management system, any event, host, FMP received in which the FMP is not valid may be dropped rather than processed. Other such modifications to the FMP process are also possible. Note that allowing a default FMP to be used for escalation management covers cases in which an administrator is not aware of a newly added device to the network environment, but can still ensure that he receives *notification* if there is a failure of the newly added device. In this case, the default FMP is used only to retrieve escalation policy information from the database, and the FMP that is received from the event is used for correlation and notification of the problem." (Column 9, Lines 35-59).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1 and 3-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gill et al., U.S. Patent No 5,984,178 in view of Vijayan, Geetha, U.S. Patent No. 6,832,341.

Regarding Claims 1 and 10-12 Gill et al. teach a method and system for collectively managing management information about a plurality of customer service devices (ATM, automated teller machines, banking machines), and managing the operations of the plurality of customer service devices (Abstract; Column 3, Lines 48-68; Column 4, Lines 1-55; Column 5, Lines 1-54; Column 8, Lines 33-42; Column 25, Lines 5-68; Figures 14, 19, 31, 32 and 56 and as shown below in Figures 1, 4, 7, 8 and 29).

More specifically Gill et al. teach that the management system comprises:

- registering (entering, inputting, setting up, installing, making available) a plurality of management information in a data store/database (Figure 4, Element 36; Figures 46-59);

- creating (entering, inputting, etc.) a plurality of actions (events) to operate each of the customer service devices, based on (by processing, reviewing, accessing, analyzing, etc.) the plurality of management information entered;

- registering (entering, inputting, setting up) a plurality of actions (procedures, action list, schedule, fault actions);

- selecting (determining, resolving, analyzing) an action by referring (reviewing, accessing, etc.) the action data (database, data store) and in accordance with supplied/received, via a network, condition information (status message, condition message, status, solicited message, unsolicited message) from each of the customer service devices (Column 11, Lines 62-68; Column 12, Lines 25-44); and

- transmitting/sending an instruction (message, notification, etc.) indicative of the action (corrective action, action list, fault action) with respect to each customer service device (Column 25, Lines 54-65; Figures 31-32)

- wherein the management information includes a plurality of information related to consumer devices, consumer device groups, assignees of management (servicers, vendors, message recipients, contacts), actions, events, schedules and a plurality of other information associated with the operation of the customer service devices (Column 4, Lines 1-55; Column 15, Lines 35-68; Column 16, Lines 1-60; Column 24, Lines 55-68; Figures 11-14, 16, 17 and 46-59; Figures 7 and 8).

More specifically Gill et al. teach that the system and method for collection managing a plurality of consumer devices analyzes a plurality of management information to determine what action (steps) to take wherein the management information includes but is not limited to: consumer device information (location, ID, etc.), customer/operator information (e.g. hours of operation, etc.) and vendor/servicer information (i.e. vendors inherently being outsourced/external service providers that

operate under some form of *contract* (written, oral/verbal, agreement, formal, informal, promise, commitment, etc.) and *contracts* inherently include at least information regarding the parties/entities of the contract such as contact information - e.g. who to contact when a specific event occurs on a specific consumer device and by what means as in the case in Gill et al.; Column 3, Lines 1-11; Column 5, Lines 1-10; Column 24, Lines 37-48; Figure 14).

Gill et al. further teach that the management system comprises a plurality of systems (sub-systems, modules, applications, devices, etc.) including but not limited to (Figure 1; Figure 2): Automated Teller Machines, ATM Network, Host ATM processing, Event Management System, Rules Engine, Scheduler, Multi Media Reporter (MMR), Message Gateway Router (MGR) and Device Status Processing Program (DSPP) that enable the administration, maintenance and management of customer service devices.

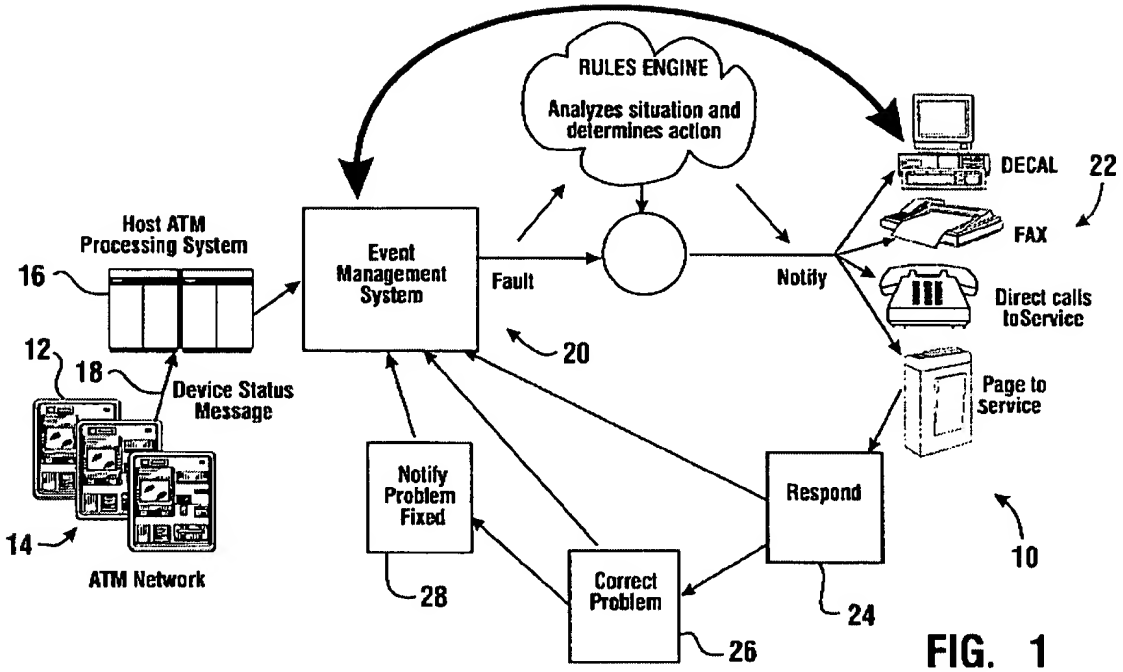

RULES ENGINE
Analyzes situation and determines action
DECAL
22
FAX
Host ATM Processing System
16
Event Management System
Fault
Notify
Direct calls toService
12
18
Device Status Message
20
Page to Service
Notify Problem Fixed
Respond
14
ATM Network
10
Correct Problem
28
24
26

FIG. 1

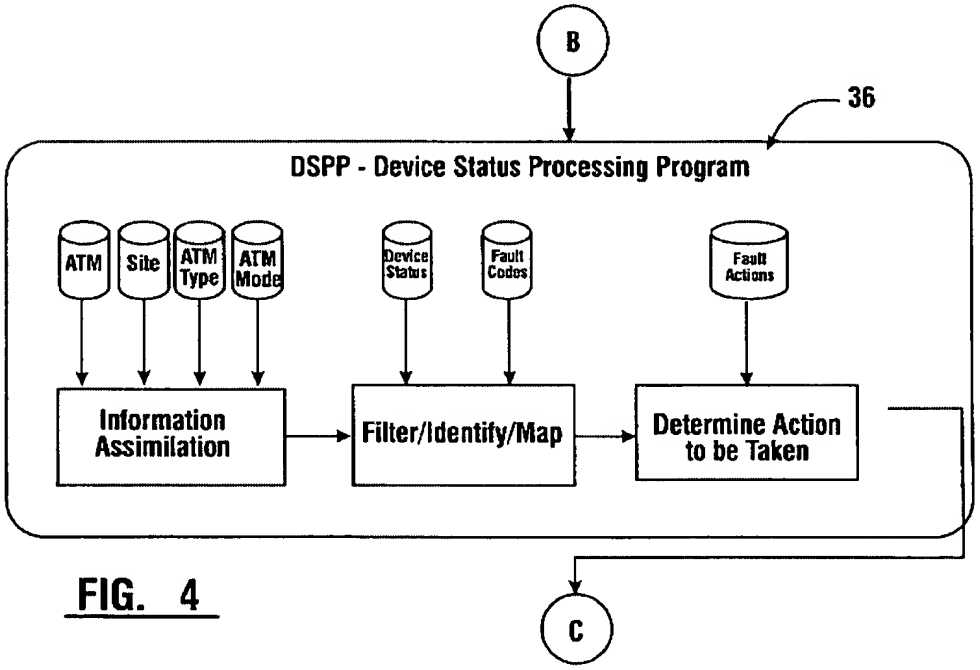

B
36
DSPP - Device Status Processing Program
ATM
Site
ATM Type
ATM Mode
Device Status
Fault Codes
Fault Actions
Information Assimilation
Filter/Identify/Map
Determine Action to be Taken
C

FIG. 4

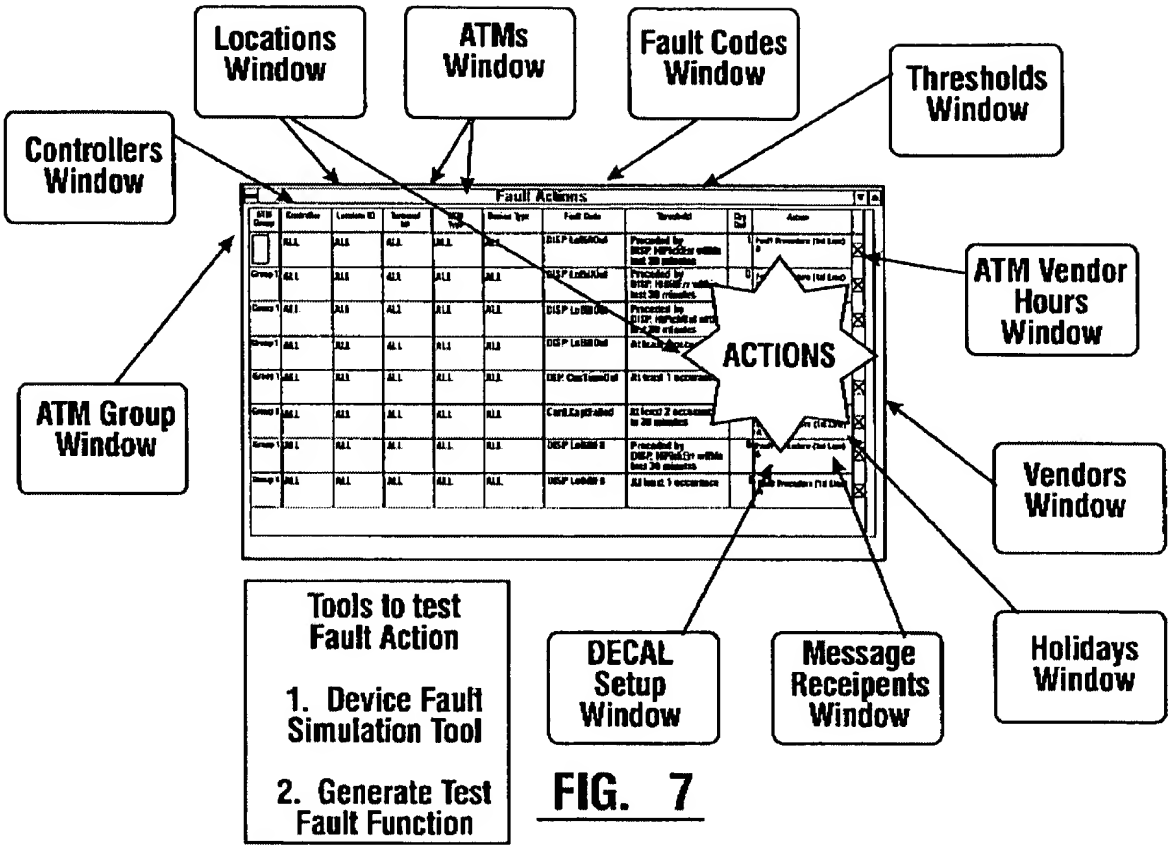

Locations Window
ATMs Window
Fault Codes Window
Thresholds Window
Controllers Window
Fault Actions
ACTIONS
ATM Vendor Hours Window
ATM Group Window
Vendors Window
Holidays Window
Tools to test Fault Action
1. Device Fault Simulation Tool
2. Generate Test Fault Function
DECAL Setup Window
Message Receipents Window

FIG. 7

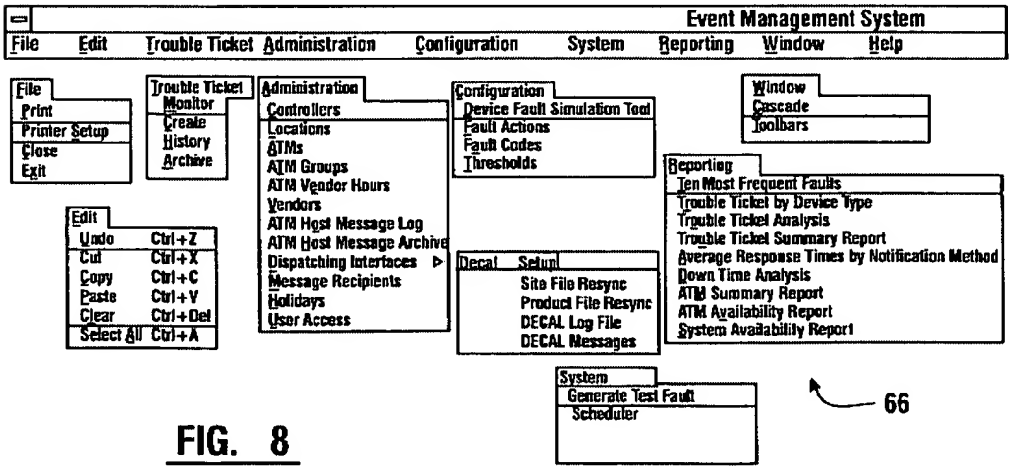

Event Management System
File Edit Trouble Ticket Administration Configuration System Reporting Window Help
File
Print
Printer Setup
Close
Exit
Trouble Ticket
Monitor
Create
History
Archive
Administration
Controllers
Locations
ATMs
ATM Groups
ATM Vendor Hours
Vendors
ATM Host Message Log
ATM Host Message Archive
Dispatching Interfaces
Message Recipients
Holidays
User Access
Configuration
Device Fault Simulation Tool
Fault Actions
Fault Codes
Thresholds
Window
Cascade
Toolbars
Reporting
Ten Most Frequent Faults
Trouble Ticket by Device Type
Trouble Ticket Analysis
Trouble Ticket Summary Report
Average Response Times by Notification Method
Down Time Analysis
ATM Summary Report
ATM Availability Report
System Availability Report
Edit
Undo Ctrl+Z
Cut Ctrl+X
Copy Ctrl+C
Paste Ctrl+V
Clear Ctrl+Del
Select All Ctrl+A
Decal Setup
Site File Resync
Product File Resync
DECAL Log File
DECAL Messages
System
Generate Test Fault
Scheduler
66

FIG. 8

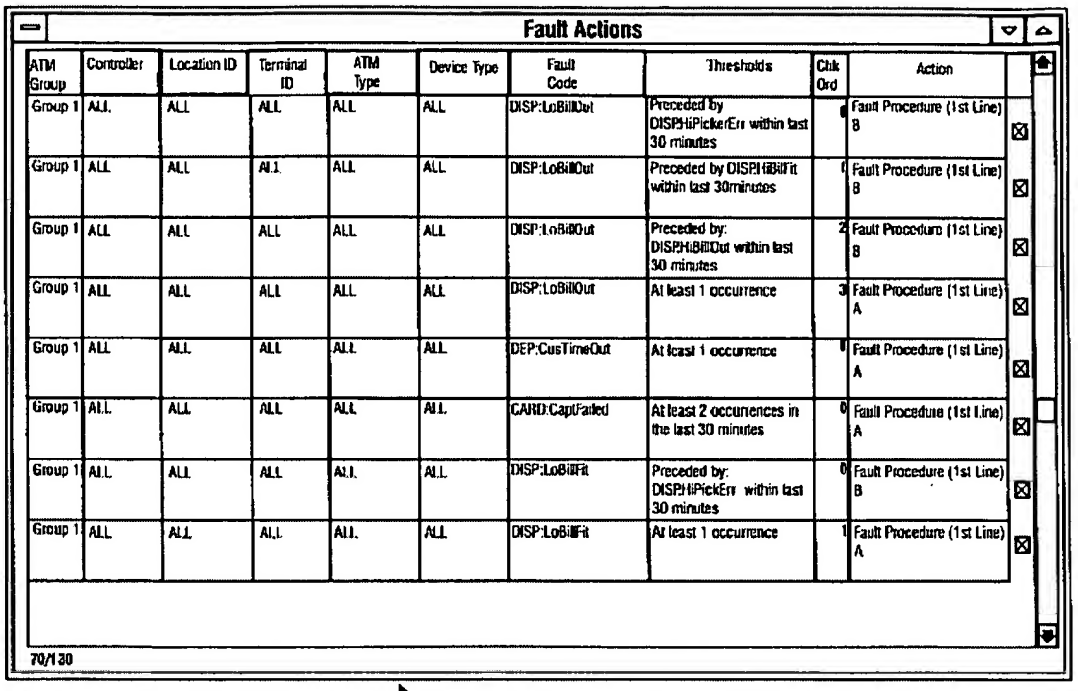
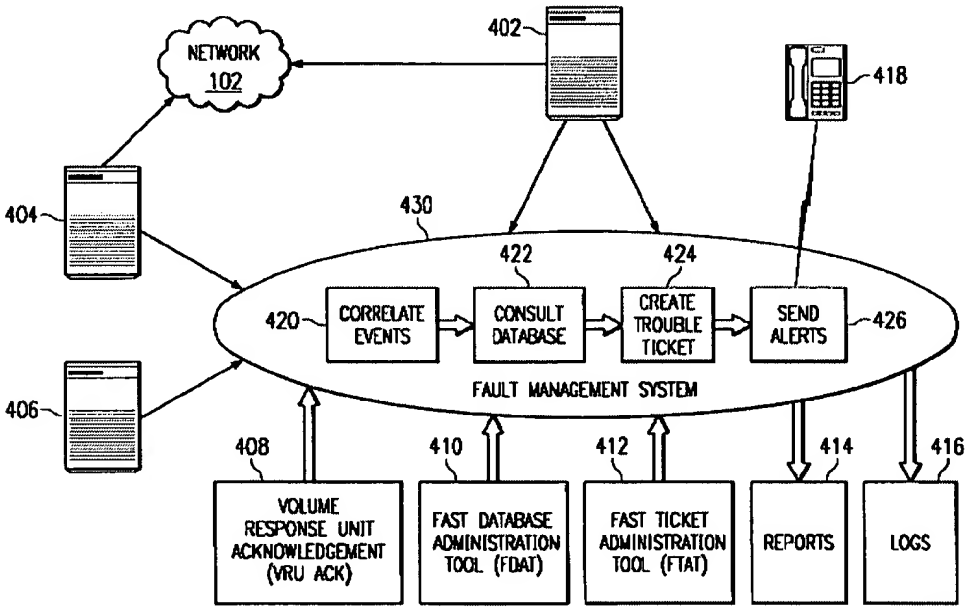


FIG. 29

Gill et al. does not expressly teach checking and detecting inconsistency if an event corresponding to the condition of each consumer device does not match registered event management information or adding an altering instruction to action that should be performed when inconsistency is detected as claimed.

Vijayan teaches checking and detecting inconsistency if an event corresponding to the condition of each consumer device does not match registered event management information (checking/determining the validity of the event, host and fault monitoring point; Column 1, Lines 47-63; Column 6, Lines, 63-68; Column 7, Lines 1-25; Figure 5, Element 504) *and* adding an alerting instruction to action that should be performed when inconsistency is detected (Column 5, Lines 1-40; Column 6, Lines 47-67; Column

7, Lines 1-20; Column 9, Lines 29-59; Figure 4, Element 430) in an analogous art of device fault/event management for the purposes of determining how the fault/event is escalated/forwarded (Column 8, 28-42; Figure 5) and/or enable the system to monitor events/devices not previously defined in the system using default policies/rules (Column 9, Lines 50-59).



FMP USAGE IN ALERT MANAGEMENT PROCESS

FIG. 4

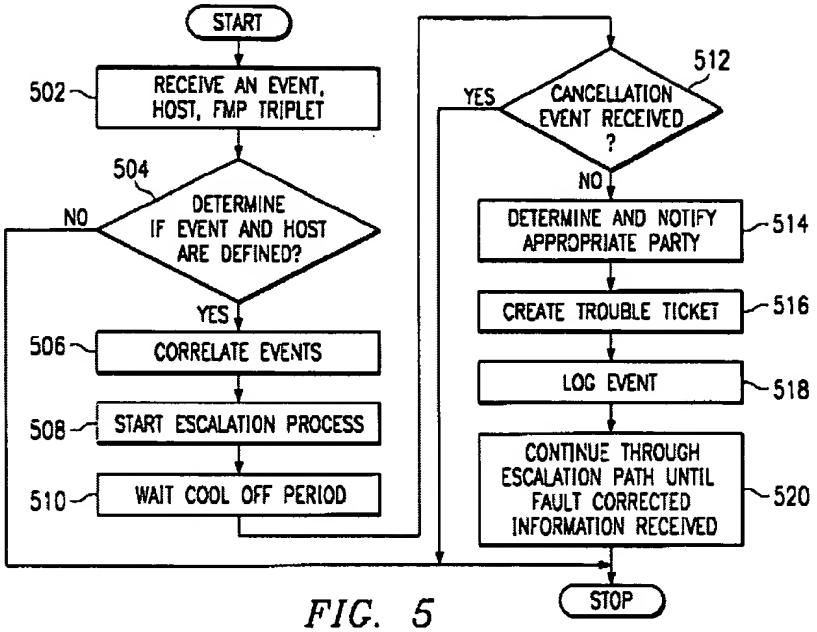


FIG. 5

It would have been obvious to one skilled in the art at the time of the invention that the system and method for collectively managing management information about a plurality of consumer devices and managing the operations of the consumer devices as taught by Gill et al. would have benefited from checking and detecting inconsistency if an event corresponding to the condition of each consumer device does not match registered event management information in view of the teachings of Vijayan; the resultant system/method enabling the system/method to more accurately log/record unique events (Vijayan: Column 9, Lines 29-42) and/or enable the system to monitor events/devices not previously defined in the system using default policies/rules (Vijayan: Column 9, Lines 50-59).

Regarding Claims 3 and 4 Gill et al. teach that the management system further comprises creating (entering, inputting) and registering (making available to the system, associating) the action(s) corresponding to each condition for each customer device (action procedure connected to fault actions, action list, action procedure, action message, Device Status Processing Program; Column 11, Lines 50-68; Column 25, Lines 5-62; Figures 28, 29 and 31; Figures 1, 4 and 8).

Regarding Claim 5 Gill et al. teach that the management system further comprises (trouble tickets, responses, actions, action procedures; Column 12, Lines 33-44; Column 25, Lines 5-60; Column 37, Lines 16-60; Column 34, Lines 1-15; Column 36, Lines 53-68; Figures 26 and 31-32; Figures 4, 7 and 8):

- selecting a customer service device corresponding to the supplied condition (status, fault, solicited message, unsolicited message, etc.) from among a plurality of customer service devices; and

- selecting (responding) the action corresponding to the supplied condition information among a plurality of actions registered for the customer service device.

Regarding Claim 6 Gill et al. teach that the management system further comprises (Column 12, Lines 33-44; Column 25, Lines 5-60; Column 37, Lines 16-60; Column 34, Lines 1-15; Column 36, Lines 53-68; Figures 26 and 31-32; Figure 4):

- receiving and judging (reviewing, filter/identify/map, deciding, determining) a plurality of types of condition information (fault codes, fault category, fault condition, fault signals, fault message) in their entirety; and

- selecting the action corresponding to the judging (filter/identify/map) from among a plurality of actions registered (available) in the system.

Regarding Claim 7 Gill et al. teach that the management system further comprises (Column 12, Lines 33-44; Column 31, Lines 1-60; Column 34, Lines 1-15; Column 36, Lines 53-68; Figures 18, 23, 25, 26 and 36):

- registering (storing, saving, logging, collecting) a plurality of information, historical and current, regarding the condition information (faults, messages, calls, trouble tickets, actions, etc.) for customer service devices; and

- selecting the action corresponding to the plurality of condition information, historical and current available (registered in the system).

Regarding Claim 8 Gill et al. teach that the management system further comprises (Abstract; Column 5, Lines 10-54; Column 9, Lines 60-68; Figures 19 and 24-26):

- instructing (requesting, requiring, contacting) a maintainer (servicer) of the plurality of customer service devices to perform a maintenance (service) operation according to the condition information; and

- receiving information about a results of the maintenance (service) operation from the maintainer (servicer).

Regarding Claim 9 Gill et al. teach that the management system enables a plurality of users (entities) to receive, send, enter, maintain and the like a plurality of information related to the operation of customer service devices. More specifically Gill et al. teach that an administrator and a maintainer (servicer, vendor) supply information to the management system (Abstract; Column 29, Lines 45-68; Column 31, Lines 45-55).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Vrenjak, Milan, U.S. Patent No. 5,063,523, teaches a rules-based event/alarm management system and method for managing a plurality of network devices.

- Elliott et al., U.S. Patent No. 5,214,653, teach a system and method for monitoring and managing a plurality of devices wherein the rules-based expert system "learns" new rules and corresponding actions for unrecognized/unmatched events.

- Coley et al., U.S. Patent No. 5,751,914, teach a system and method for managing a plurality of devices wherein the system/method receives and correlates events and transmits instructions indicative of actions to be taken in response to the events.

- Arrowsmith et al., U.S. Patent No. 6,064,304, teach a system and method for managing and monitoring a plurality of networked devices.

- Johnson, Brent, U.S. Patent No. 6,275,855, teaches a computerized alert system that identifies and determines alert precipitation factors and responsive actions for a plurality of devices wherein the system detects inconsistencies in events/alerts and notifies the operator/user of the inconsistencies (e.g. invalid event).

- Feridun et al., U.S. Patent No. 6,336,139, teach a system and method for monitoring and managing a plurality of devices wherein the system/method utilizes event correlation/pattern matching rules to check for device inconsistencies such as events that occur in a given sequence/order or events that do not occur in a given sequence/order (out-of-order).

- Drake et al., U.S. Patent No. 6,347,374, teach a system and method for monitoring and managing a plurality of devices.

- Pohlmann et al., U.S. Patent No. 6,466,136, teach a rules-based system and method for dynamically correlating device events/alarms and triggering the appropriate action(s).

- MacPhail, Margaret, U.S, Patent No. 6,735,772, teaches a system and method for collectively managing management information about a plurality of devices and

managing operations of the plurality of devices wherein the system/method dynamically correlates cause events to effect events.

- Jakobson et al., U.S. Patent No. 6,766,368, teach an expert/knowledge-based event management system and method further comprising the ability to create new correlations for events not previously defined.

- Jakobson et al., GRACE: Building Next Generation Event Correlation Services (2000), teach a system and method for managing and monitoring a plurality of device events wherein the system/method discovers/learns new event correlations and provides fault management and notification services.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott L. Jarrett whose telephone number is (571) 272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hafiz Tariq can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SJ
8/14/2006

Romain Jeanty
Primary Examiner
Art Unit 3623